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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/786,623	02/26/2004	Marcio Marc Abreu	P67821US2

00136
JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON, DC 20004



CONFIRMATION NO. 2057

FORMALITIES LETTER



OC000000012681141

Date Mailed: 05/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

07/20/2004 EABUBAK1 00000079 10786623

Filing Date Granted

01 FC:2001	385.00 OP
02 FC:2201	129.00 OP
03 FC:2202	234.00 OP
04 FC:2051	65.00 OP

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 43A-C, 45A, 53, 67A-B.
 - The drawings must be made on paper that has a white background (see 37 CFR 1.84 (e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 2A-C, 5B, 5D, 6, 10-41B, 54A-B.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$726 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1626 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$726
 - \$258 for 3 independent claims over 3.
 - \$468 for 26 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Mehron on

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Marcio Marc ABREU
Serial No.: 10/786,623
Filing Date: February 26, 2004
For: APPARATUS AND METHOD FOR MEASURING BIOLOGIC
PARAMETERS

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION UNDER 37 C.F.R. §1.53(b)**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Attention: APPLICATION BRANCH
MISSING PARTS OF APPLICATION**

Sir:

With respect to the above-identified patent application, the following are filed herewith in response to the Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. §1.53(b), mailed **May 17, 2004**, copy attached.

- ☒ Declaration in compliance with 37 C.F.R. §1.63.
- ☐ Declaration in compliance with 37 C.F.R. §1.63, attached to copy of application as originally filed.
- ☐ Small Entity Declaration under 37 C.F.R. §§1.9 and 1.27.
- ☒ Replacement drawings.
- ☒ If a Petition for Extension of time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge and fees necessary under 37 CFR 1.17 (a) - (d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.

Serial No.: 10/786,623

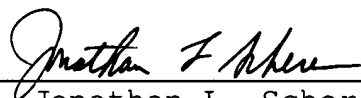
X Filing Fee, calculated as follows:

	<u>Small Entity</u>	<u>Large Entity</u>	
Basic Filing Fee	\$385.00	\$770.00	385.00
Total Claims <u>46</u> - 20 = <u>26</u>	(x \$9) =	(x \$18) =	234.00
Indep. Claims <u>6</u> - 3 = <u>3</u>	(x \$43) =	(x \$86) =	129.00
<u>X</u> Surcharge: Late Filing	+ \$65	+ \$130	65.00
			+
	TOTAL FILING FEES	\$	813.00

A Credit Card Payment Form authorizing the amount of \$813.00 is enclosed to cover the Filing Fee and late filing surcharge. The Commissioner is hereby authorized to debit or credit any fees set forth in §1.16 or §1.17 to Deposit Account No. 06-1358 as needed in order to effect proper filing of the application. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By 
Jonathan L. Scherer
Reg. No. 29,851

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(202) 638-6666

Atty. Docket No.: P67821US2
Date: July 19, 2004
JLS/cmf